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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/810,635

03/29/2004

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EXAMINER

SHIBRU, HELEN

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

11/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/810,635	<b>Applicant(s)</b> CHO ET AL.	
	<b>Examiner</b> HELEN SHIBRU	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,14-22,24-26,28-30,32-34 and 36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,14-22,24-26,28-30,32-34 and 36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/03/08</u> .  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/03/2008 has been entered.

***Response to Amendment***

2. The amendments filed on 11/03/2008 have been entered and made of record. Claims 1-4, 6, 14-22, 24-26, 28-30, 32-34, and 36 are pending.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-4, 6, 14-22, 24-26, 28-30, 32-34, and 36 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 6, 8-9, and 14-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US PG PUB 2002/0046328) in view of Yamamoto (US Pat. No. 5,742,569) and

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further in view of Sacki (US PG Pub 20010043790), and Official Notice and Sawabe (US PG PUB 2005/0232111).

Regarding claim 1, Okada discloses a recording medium having a data structure for managing reproduction of at least video data representing multiple reproduction paths, comprising:

a data area storing at least video data as a transport stream in more than one file, each file associated with a different one of the multiple reproduction paths (see page 2 paragraphs 0034-0037, page 8 paragraph 0175, paragraph 0193 and 0234, and figures 4, 26, and 29).

Claim 1 differs from Okada in that the claim further requires a navigation area storing at least one navigation list, the at least one navigation list including at least a first navigation data item and a second navigation data item, the at least one navigation list controlling a reproduction order of the one or more navigation data items.

In the same field of endeavor Yamamoto discloses a navigation area storing at least one navigation list, the at least one navigation list (see what is included in unit 61 in fig. 6, col. 12 lines 1-34, where it teaches the PGCI includes program information and cell information, col. 15 line 29-col. 16 line 40 and figs. 5, 7A and 7B). Therefore in light of the teaching in Yamamoto it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Okada by including navigation units in order to control the data.

Claim 1 further differs from the above proposed combinations in that the claim further requires the first navigation data item referencing more than one map, each map for managing one of the multiple reproduction paths and providing position data of the file associated with the reproduction path managed by the map.

In the same field of endeavor Saeki discloses the first navigation data item referencing more than one map, each map for managing one of the multiple reproduction paths and providing position data of the file associated with the reproduction path managed by the map (see fig. 9 where it shows cell #1 referencing more than one map and each map are associated with one of the files. See also the abstract, paragraphs 0067, 0100, 0107-0118 and fig. 11). Therefore in light of the teaching in Saeki it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above proposed combination by providing a navigation data item referencing more than one map in order to arrange address.

Claim 1 further differs from Saeki, Okada and Yamamoto in that the claim further requires the files being interleaved with one another.

Official Notice is taken that it is well known in the art to have files being interleaved with one another. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination by including interleaved files in order to reproduce split or combined data seamlessly.

Claim 1 further differs from the above proposed combination in that the claim further requires the first navigation data item including an indicator for indicating the corresponding first navigation data item references more than one map, the second data item referencing a single map for managing a single reproduction path, the second data item including an indicator indicating that the second navigation data item references a single map.

In the same field of endeavor Sawabe discloses user sets to select multi-reproduction path or two or less reproduction path. Sawabe further discloses the PGC #1 as shown in figures 10 and 11 is for two-or less reproduction path and the PGC #2 is for multi reproduction paths. In

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paragraph 265 Sawabe discloses the entry is information indicative of the PGC 300 representing a PGC block. See also what is described in ATS\_PGCI-SRP 275. In addition Sawabe discloses the PGC 300 corresponding to a title 261 manages one or a plurality of programs. Sawabe further teaches a table ATS\_PGCIT 291 in which information with regard to the respective programs 301 constituting the PGC is collected; and a table ATS\_C\_P\_BIT 292 in which information regarding the respective cell 200 constituting the program 301 is collected (see paragraph 271). See also paragraphs 273-231, and the path indicated by P12(1)-P12(4) and P1M(2)-P1M(4) in figure 12. See also paragraphs 313-327 for two-channels or less reproduction and paragraphs 316-327 for the multi-channel reproduction path, and figures 9A-9B, 10, 11, and 12A-13. Sawabe further teaches a navigation area storing at least one navigation list which includes two navigation data items (see figure 10). Therefore in light of the teaching in Sawabe it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above proposed combination by providing an indicator of multiple and single channels in order to represent the selected channels.

Regarding claim 2, Okada discloses wherein each file is divided into data blocks, and the files are interleaved with one another on a data block by data block basis (see figure 29, see also figs. 2 and 5 in Yamamoto, see also claim 1 rejection above).

Regarding claim 3, Okada discloses wherein each data block represents at least an intra-coded picture of video data (see figure 12 and paragraphs 0005-0009 in page 1 and paragraph 0167 in page 8, see also fig. 2 in Yamamoto).

Regarding claim 4, Okada discloses wherein each data block represents at least one group of pictures (GOP) (see figure 4 in Okada and fig. 2 in Yamamoto).

Regarding claim 6, Yamamoto discloses the first and the second navigation data items provide navigation information for reproducing at least one of the files (see col. 12 lines 1-34, see also figure 10-11 in Sawabe).

Regarding claim 14, Okada discloses each reproduction path represents a digital channel (see pages 1-2).

Regarding claims 15, Okada discloses each reproduction path represents a sub-channel of an RF channel (see pages 1-2).

Regarding claim 16, limitation of claim 16 can be found in claim 1 above. Therefore claim 16 is analyzed and rejected for the same reason as discussed in claim 1 above.

Regarding claim 17, the limitation of claim 17 can be found in claim 1 above. Therefore claim 17 is analyzed and rejected for the same reasons as discussed in claim 1 above. It is noted that Okada discloses a method of reproducing a data structure for managing reproduction duration of at least video data representing multiple reproduction paths, comprising: reproducing at least the video data as a transport stream in more than one file from the recording medium, each file associated with a different one of the multiple reproduction paths, (see paragraphs 0013-0048).

Regarding claim 18, the limitation of claim 18 can be found in claim 1 above. Therefore claim 17 is analyzed and rejected for the same reasons as discussed in claim 1 above. It is noted that Okada discloses an apparatus for recording a data structure for managing reproduction duration at least video data representing multiple reproduction paths, comprising: a pick up configured to record data on a recording medium; a controller, operably coupled to the pick up, configures to control recording at least video data as a transport stream in more than one file on

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the recording medium, each file associated with a different one of the multiple reproduction paths, and the files associated with a different one of the multiple reproduction paths (see figure 12).

Claim 19 is rejected for the same reason as discussed in claims 17-18 above. See also figure 12 in Okada where it shows reproducing unit.

Claim 20 is rejected for the same reason as discussed in claim 1 above.

Claims 21-22 are rejected for the same reason as discussed in claims 2 and 3 respectively above.

Claims 24-25 are rejected for the same reason as discussed in claims 15 and 2 respectively above.

Claim 26 is rejected for the same reason as discussed in claim 3 above.

Claims 28, 32 and 36 are rejected for the same reason as discussed in claim 15 above.

Claims 29-30 are rejected for the same reason as discussed in claims 2 and 3 respectively above.

Claims 33-34 are rejected for the same reason as discussed in claims 2 and 3 respectively above.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571)272-7329.

The examiner can normally be reached on M-F, 8:30AM-5PM.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HELEN SHIBRU/  
Examiner, Art Unit 2621  
November 19, 2008

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621